



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION I
5 POST OFFICE SQUARE, SUITE 100
BOSTON, MASSACHUSETTS 02109-3912

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

AUG 29 2012

Mr. Richard Razza, Principal Engineer
Providence Water Supply Board
552 Academy Avenue
Providence, Rhode Island 02908

Re: PCB Risk-Based Disposal Approval under 40 CFR § 761.61(c)
Philip J. Holton Water Purification Plant
Scituate, Rhode Island

Dear Mr. Razza:

This is in response to Providence Water Supply Board (PWSB) Notification¹ for approval of the proposed plan to address PCB contamination at the Philip J. Holton Water Purification Plant located at 61 North Road, Scituate, Rhode Island. For purposes of the Approval, the Central Filter Gallery (CFG), and the east and west sand filter beds are considered to be the Site. The Site contains caulk that exceeds the allowable PCB levels under 40 CFR § 761.20(a) and § 761.62.

PWSB submitted its Notification for abatement of PCB contamination at the Site under § 761.61(a); however, the regulations at § 761.61(a) require that drinking water and water distribution systems cleanups be approved under § 761.61(c). PWSB has proposed the following activities:

- Remove the windows, aluminum panels and the PCB caulk (i.e., *PCB Bulk Product Waste*), and dispose in a TSCA-approved disposal facility or RCRA hazardous waste landfill in accordance with § 761.62(a);
- Remove courtyard door, in its entirety, and dispose as a greater than or equal to (\geq) 50 parts per million (ppm) *PCB remediation waste* in a TSCA-approved disposal facility or RCRA hazardous waste landfill;

¹ The original notification was prepared by Hoffman Engineering, Inc on behalf of the PWSB to satisfy the notification requirement under 40 CFR § 761.61(a)(3) and § 761.79(h). The revised notification was prepared by GZA GeoEnvironmental, Inc. Information was submitted dated April 2012 (Notification for PCB Abatement - Philip J. Holton Water Purification Plant); August 3, 2012 (Revised SIDP and Response to EPA Comments); August 21, 2012 (e-mail clarification response to disposal questions); and, August 22, 2012 (e-mail clarification response to protective barrier questions). These submittals shall be referred to as the "Notification".

- Remove a four foot wide trench of *PCB remediation waste* (e.g., gravel, sand, filter fabric, sand, and polyethylene sheeting) from the protective barrier over the filter bed. The trench will be located along the interior of the eastern filter bed and along the western edge of the CFG. Dispose as a ≥ 50 ppm *PCB remediation waste* in a TSCA-approved disposal facility or RCRA hazardous waste landfill in accordance with § 761.61(a)(5)(i)(B)(2)(iii);
- Collect additional characterization samples from the *porous surfaces* (i.e., concrete pad located to the north of the CFG and the CFG foundation wall) to determine if the *porous surface* has been impacted by PCBs at greater than ($>$) 1 ppm; and,
- Collect verification samples within the filter beds to confirm that the cleanup standard of less than or equal to (\leq) 1 ppm has been met.

PWSB has determined that black mastic waterproofing and certain caulk, which have PCB concentrations at less than ($<$) 50 ppm are *Excluded PCB Products*. Under the PCB regulations, *Excluded PCB Products* are authorized for use and thus there is no requirement to remove these building materials or to decontaminate surfaces that are in contact with these building materials. However, as indicated in the Notification, these materials will be removed and disposed of in a landfill, permitted by the State to accept PCB waste, in accordance with § 761.61(a)(5)(i)(B)(2)(ii).

Based on the EPA's review, the proposed remedial and sampling plan are acceptable and will create no unreasonable risk when conducted in accordance with the Notification, this Approval, and the conditions of Attachment 1. EPA applies this unreasonable risk standard in accordance with the PCB regulations at 40 CFR §761.61(c), and the Toxic Substances Control Act, at 15 USC § 2605(e).

EPA is approving PWSB's proposed plan and it may proceed with the PCB disposal under 40 CFR § 761.61(c), § 761.62, and the Notification, subject to this Approval and the conditions of Attachment 1.

This Approval does not cover *porous surfaces* (e.g., the concrete pad north of the CFG and the foundation wall). If additional characterization sampling identifies PCB contamination at > 1 ppm, PWSB shall submit its plan to address the contamination in accordance with § 761.61. See Attachment 1, Condition 1.

Please be aware that this Approval requires that PWSB collect additional samples of the waterproofing materials located on the north side of the CFG building to confirm that the PCB concentrations are < 50 ppm and thus meet the PCB concentration requirement for *Excluded PCB Products*.

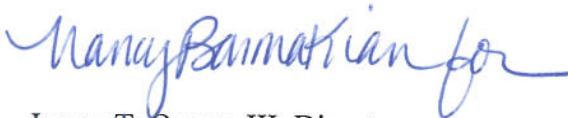
Questions and correspondence regarding this Approval should be directed to:

Kimberly N. Tisa, PCB Coordinator (OSRR07-2)
United States Environmental Protection Agency
5 Post Office Square, Suite 100
Boston, Massachusetts 02109-3912
Telephone: (617) 918-1527
Facsimile: (617) 918-0527

This Approval does not release PWSB from any applicable requirements of federal, state or local law, including the requirements related to cleanup and disposal of PCBs or other contaminants under the Rhode Island Department of Environmental Management (RIDEM) regulations.

EPA shall not consider this project complete until it has received all submittals required under this Approval. Please be aware that upon EPA receipt and review of the submittals, EPA may request any additional information necessary to establish that the work has been completed in accordance with 40 CFR Part 761, the Notification, and this Approval.

Sincerely,

A handwritten signature in blue ink, appearing to read "James T. Owens III", followed by a long horizontal flourish.

James T. Owens III, Director
Office of Site Remediation & Restoration

cc James Hutton, GZA
RIDEM
File

Attachment 1: PCB Approval Conditions

ATTACHMENT 1

**PCB RISK-BASED DISPOSAL APPROVAL CONDITIONS
PROVIDENCE WATER SUPPLY BOARD
PHILIP J. HOLTON WATER PURIFICATION PLANT-
CENTRAL FILTER GALLERY (CFG), AND THE EAST AND WEST
SAND FILTER BEDS (the "Site")
61 NORTH ROAD
SCITUATE, RHODE ISLAND**

GENERAL CONDITIONS

1. This Approval is granted under the authority of Section 6(e) of the Toxic Substances Control Act (TSCA), 15 U.S.C. § 2605(e), and the PCB regulations at 40 CFR Part 761, and applies solely to the *PCB bulk product waste* and the *PCB remediation waste* located at the Site and identified in the Notification.⁽²⁾
 - a. In the event that Providence Water Supply Board (PWSB) identifies other PCB-contaminated wastes subject to cleanup and disposal under the PCB regulations, PWSB will be required to notify EPA and clean up the PCB-contaminated wastes in accordance with 40 CFR Part 761.
 - b. PWSB may submit a separate plan to address the PCB contamination or may modify the Notification to incorporate cleanup of the PCBs under this Approval in accordance with Condition 16.
2. The PWSB shall conduct on-site activities in accordance with the conditions of this Approval and with the Notification.
3. In the event that the cleanup plan described in the Notification differs from the conditions specified in this Approval, the conditions of this Approval shall govern.
4. The terms and abbreviations used herein shall have the meanings as defined in 40 CFR § 761.3 unless otherwise defined within this Approval.

² The original notification was prepared by Hoffman Engineering, Inc on behalf of the PWSB to satisfy the notification requirement under 40 CFR § 761.61(a)(3) and § 761.79(h). The revised notification was prepared by GZA GeoEnvironmental, Inc. Information was submitted dated April 2012 (Notification for PCB Abatement –Philip J. Holton Water Purification Plant); August 3, 2012(Revised SIDP and Response to EPA Comments); August 21, 2012 (e-mail clarification response to disposal questions); August 22, 2012 (e-mail clarification response to protective barrier questions);and, August 22, 2012 (email response to concrete foundation sampling question). These submittals shall be referred to as the "Notification".

5. PWSB must comply with all applicable federal, state and local regulations in the storage, handling, and disposal of all PCB wastes, including PCBs, PCB Items and decontamination wastes generated under this Approval. In the event of a new spill during response actions, PWSB shall contact EPA within 24 hours for direction on PCB cleanup and sampling requirements.
6. PWSB is responsible for the actions of all officers, employees, agents, contractors, subcontractors, and others who are involved in activities conducted under this Approval. If at any time PWSB has or receives information indicating that PWSB or any other person has failed, or may have failed, to comply with any provision of this Approval, it must report the information to EPA in writing within 24 hours of having or receiving the information.
7. This Approval does not constitute a determination by EPA that the transporters or disposal facilities selected by PWSB are authorized to conduct the activities set forth in the Notification. PWSB is responsible for ensuring that its selected transporters and disposal facilities are authorized to conduct these activities in accordance with all applicable federal, state and local statutes and regulations.
8. This Approval does not: 1) waive or compromise EPA's enforcement and regulatory authority; 2) release PWSB from compliance with any applicable requirements of federal, state or local law; or 3) release PWSB from liability for, or otherwise resolve any violations of federal, state or local law.

NOTIFICATION AND CERTIFICATION CONDITIONS

9. This Approval may be revoked if the EPA does not receive written notification from PWSB of its acceptance of the conditions of this Approval within 10 business days of receipt.
10. PWSB shall notify EPA in writing of the scheduled date of commencement of on-site activities at least one (1) business day prior to conducting any work under this Approval.
11. PWSB shall submit the following information for EPA review and/or approval:
 - a. a certification signed by its selected abatement/demolition contractor, stating that the contractor(s) has read and understands the Notification, and agrees to abide by the conditions specified in this Approval;
 - b. a contractor work plan, prepared and submitted by the selected demolition or abatement contractor(s) describing the air monitoring that will be employed during abatement activities. This work plan should also include information on how and where wastes will be stored and disposed of, and on how field equipment will be decontaminated; and,

- c. a certification signed by the selected analytical laboratory, stating that the laboratory has read and understands the extraction and analytical method requirements and quality assurance requirements specified in the Notification and in this Approval.

CLEANUP AND DISPOSAL CONDITIONS

- 12. To the maximum extent practical, engineering controls, such as barriers, and removal techniques, such as the use of HEPA ventilated tools, shall be utilized during removal processes. In addition, to the maximum extent possible, disposable equipment and materials, including PPE, will be used to reduce the amount of decontamination necessary.
- 13. PCB-contaminated materials shall be decontaminated and confirmatory sampling and analysis shall be conducted as described below:
 - a. All *PCB bulk product waste* (i.e., PCB caulk, aluminum panels, and windows) shall be removed as described in the Notification and disposed of in accordance with § 761.62.
 - b. The cleanup standard for *PCB remediation waste* (i.e., filter bed protective barrier) shall be less than or equal to (\leq) 1 part per million (ppm).
 - i) *PCB remediation waste* samples shall be collected on a bulk basis (e.g. mg/kg) at a frequency of:
 - (1) 1 sample per 20 linear feet (lf) along the sidewall in the gravel/soil layer, for a minimum of 59 samples
 - (2) 1 sample per 20 lf, from the soil layer under the aluminum panel drip edge, for a minimum of 59 samples
 - ii) Chemical extraction for PCBs shall be conducted using Methods 3500B/3540C of SW-846; and, chemical analysis for PCBs shall be conducted using Method 8082 of SW-846, unless another extraction/analytical method(s) is validated according to Subpart Q.
 - c. A minimum of 2 additional samples of waterproofing materials shall be collected from the north side of the Central Filter Gallery building. In the event any sample contains a PCB concentration of greater than or equal to (\geq) 50 ppm, PWSB shall contact EPA and shall submit its plan for abatement of this material (see Condition 16).

- d. All sampling for *porous surfaces* (i.e., concrete pad, concrete foundation, and concrete filter chamber roof, if required) shall be:
 - i) Performed on a bulk basis (i.e., mg/kg) and reported on a dry weight analysis. Verification sampling for *porous surfaces* shall be conducted in accordance with the EPA Region 1 *Standard Operating Procedure for Sampling Porous Surfaces for Polychlorinated Biphenyls (PCBs) Revision 4, May 5, 2011*, at a maximum depth interval of 0.5 inches;
 - ii) Chemical extraction for PCBs shall be conducted using Methods 3500B/3540C of SW-846; and, chemical analysis for PCBs shall be conducted using Method 8082 of SW-846, unless another extraction/analytical method(s) is validated according to Subpart Q.
- 14. PCB waste (at any concentration) generated as a result of the activities described in the Notification, excluding any decontaminated materials, shall be marked in accordance with 40 CFR § 761.40; stored in a manner consistent with 40 CFR § 761.65; and, disposed of in accordance with 40 CFR § 761.61 or § 761.62, unless otherwise specified below.
 - a. Decontamination wastes and residues shall be disposed of in accordance with 40 CFR § 761.79(g)(6).
 - b. Moveable equipment, tools, and sampling equipment shall be decontaminated in accordance with either 40 CFR § 761.79(b)(3)(i)(A), § 761.79(b)(3)(ii)(A), or § 761.79(c)(2).
 - c. PCB-contaminated water generated during decontamination shall be decontaminated in accordance with 40 CFR § 761.79(b)(1) or disposed of under § 761.60.

INSPECTION, MODIFICATION AND REVOCATION CONDITIONS

- 15. PWSB shall allow any authorized representative of the Administrator of the EPA to inspect the Site and to inspect records and take samples as may be necessary to determine compliance with the PCB regulations and this Approval. Any refusal by PWSB to allow such an inspection (as authorized by Section 11 of TSCA) shall be grounds for revocation of this Approval.
- 16. Any proposed modification(s) in the plan, specifications, or information in the Notification must be submitted to EPA no less than 14 calendar days prior to the proposed implementation of the change. Such proposed modifications will be subject to the procedures of 40 CFR § 761.61(a)(3)(ii).

17. Any departure from the conditions of this Approval without prior, written authorization from the EPA may result in the revocation, suspension and/or modification of the Approval, in addition to any other legal or equitable relief or remedy the EPA may choose to pursue.
18. Any misrepresentation or omission of any material fact in the Notification or in any records or reports may result in the EPA's revocation, suspension and/or modification of the Approval, in addition to any other legal or equitable relief or remedy the EPA may choose to pursue.
19. Approval for these activities may be revoked, modified or otherwise altered: if EPA finds a violation of the conditions of this Approval or of 40 CFR Part 761, including EPA's PCB Spill Cleanup Policy, or other applicable rules and regulations; or, if EPA finds that these activities present an unreasonable risk to public health or the environment.

RECORDKEEPING AND REPORTING CONDITIONS

20. PWSB shall prepare and maintain all records and documents required by 40 CFR Part 761, including but not limited to the records required under Subparts J and K. A written record of the cleanup and disposal and the analytical sampling shall be established and maintained by PWSB in one centralized location, until such time as EPA approves in writing a request for an alternative disposition of such records. All records shall be made available for inspection to authorized representatives of EPA.
21. PWSB shall submit a final report as both a hard copy and electronic version, to the EPA within 60 days of completion of the activities authorized under this Approval. At a minimum, this final report shall include: a short narrative of the project activities with photo-documentation; characterization and confirmation sampling analytical results; copies of the accompanying analytical chains of custody; field and laboratory quality control/quality assurance checks; an estimate of the quantity of PCB waste disposed of; copies of manifests and bills of lading; and copies of certificates of disposal or similar certifications issued by the disposer.

DEED RESTRICTION AND USE CONDITIONS

22. If PCBs greater than (>) 1 ppm remain on the Site, within thirty (30) days of completing the activities described in the Notification and in the Approval, PWSB shall submit for EPA review and approval, a draft deed restriction for the Site. The deed restriction shall include: a description of the extent and levels of contamination at the Site following abatement; a description of the actions taken at the Site; a description of the use restrictions for the Site; and the long-term monitoring and maintenance requirements on the Site. Within seven (7) days of receipt of EPA's approval of the draft deed restriction, PWSB shall record the deed restriction. A copy of this Approval shall be attached to the deed restriction.

23. Required submittals shall be mailed to:

Kimberly N. Tisa, PCB Coordinator
United States Environmental Protection Agency
5 Post Office Square, Suite 100 – (OSRR07-2)
Boston, Massachusetts 02109-3912
Telephone: (617) 918-1527
Facsimile: (617) 918-0527

24. No record, report or communication required under this Approval shall qualify as a self-audit or voluntary disclosure under EPA audit, self-disclosure or penalty policies.

END OF ATTACHMENT 1